

Exhibit AE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-003809-18AS

KAYME A. CLARK and)
DUSTIN W. CLARK,) 104 HEARING
)
Plaintiffs,) TRANSCRIPT OF
) PROCEEDINGS
v.)
) (VOLUME II)
)
JOHNSON & JOHNSON, et al.,)
et al.,)
)
Defendants.)

Place: Middlesex County Courthouse
56 Paterson Street
New Brunswick, New Jersey 08903

Date: May 30, 2024
9:01 a.m.

B E F O R E:
HONORABLE ANA C. VISCOMI, J.S.C.

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<p style="text-align: right;">Page 252</p> <p>1 APPEARANCES:</p> <p>2 DEAN OMAR BRANHAM SHIRLEY LLP</p> <p>3 BY: BENJAMIN BRALY, ESQ.</p> <p>4 302 North Market Street</p> <p>5 Suite 300</p> <p>6 Dallas, Texas 75202</p> <p>7 Attorneys for Plaintiffs</p> <p>8 KING & SPALDING</p> <p>9 BY: MORTON D. DUBIN II, ESQ.</p> <p>10 KEVIN HYNES, ESQ.</p> <p>11 1185 Avenue of the Americas</p> <p>12 34th Floor</p> <p>13 New York, New York 10036</p> <p>14 -AND-</p> <p>15 McCARTER & ENGLISH</p> <p>16 BY: JOHN C. GARDE, ESQ.</p> <p>17 Four Gateway Center</p> <p>18 100 Mulberry Street</p> <p>19 Newark, New Jersey 07102</p> <p>20 Attorneys for Defendant,</p> <p>21 Johnson & Johnson</p> <p>22</p> <p>23 ALSO PRESENT: MARK BIBRO, ESQ.</p> <p>24 EARLY, LUCARELLI,</p> <p>25 SWEENEY & MEISENKOTHEN</p>	<p style="text-align: right;">Page 254</p> <p>1 EXHIBITS</p> <p>2 NUMBER DESCRIPTION ID</p> <p>3 P-3 ISO table 345</p> <p>4</p> <p>5 P-6 Appendices to White Paper 266</p> <p>6</p> <p>7 P-20 Deer, Howie and Zussman</p> <p>8 page from textbook 257</p> <p>9</p> <p>10 P-31 Decades of Evidence chart 264</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 253</p> <p>1 INDEX</p> <p>2</p> <p>3 WITNESSES DIRECT CROSS REDIRECT RECROSS</p> <p>4</p> <p>5 WILLIAM EDWARD LONGO</p> <p>6</p> <p>7 EXAMINATION BY:</p> <p>8 MR. BRALY 256 342, 353</p> <p>9 MR. DUBIN 273 350</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 255</p> <p>1 THE COURT: Good morning, everyone.</p> <p>2 My name is Judge Ana Viscomi. We are here with</p> <p>3 regard to the continued 104 hearing of Dr. William</p> <p>4 Longo in the matter of Kayme Clark and Dustin Clark</p> <p>5 versus Johnson & Johnson, Docket Number 3809-18.</p> <p>6 May I have appearances, please, on</p> <p>7 behalf of plaintiff.</p> <p>8 MR. BRALY: Your Honor, on behalf of</p> <p>9 the Clark family I'm here, Benjamin Braly.</p> <p>10 THE COURT: Thank you.</p> <p>11 Further on behalf of the plaintiff?</p> <p>12 MR. BRALY: Mr. Bibro is here from</p> <p>13 the Early firm.</p> <p>14 THE COURT: I'm sorry. Could you</p> <p>15 state your name again, please.</p> <p>16 MR. BIBRO: Mark Bibro from the Early</p> <p>17 firm.</p> <p>18 THE COURT: Thank you.</p> <p>19 And for the defendants.</p> <p>20 MR. GARDE: If Your Honor please,</p> <p>21 John Garde on behalf of the Johnson & Johnson</p> <p>22 defendants. With me is Mr. Morton Dubin and</p> <p>23 Mr. Kevin Hynes of King & Spalding.</p> <p>24 MR. DUBIN: Good morning.</p> <p>25 THE COURT: So, we left off yesterday</p>

<p style="text-align: right;">Page 288</p> <p>1 of color. So, we validated what we were looking at 2 and, you know, I'm not -- and I'm not blind from 3 the, you know, the criticism of everything here 4 because it's outside the norm. 5 Q. Okay. And just again, so we 6 understand what we mean about why color is 7 important, why color is critical to this analysis, 8 let's go back to slide 142. 9 So, the way this analysis works is 10 you're trying to eventually get to a refractive 11 index number or two numbers actually in parallel and 12 perpendicular. And that's when you're going to do 13 your calculation based on those numbers to see what 14 the birefringence value is, right? 15 A. Correct. 16 Q. And what refractive index number you 17 have is driven by what color the analyst says they 18 are seeing, correct? 19 A. Yes, sir. As we went over this 20 yesterday, I agreed with you. 21 Q. So, if you see a particle that is 22 actually yellow, it will have a different refractive 23 index number than a particle that is purple, right? 24 A. That is correct. If it -- if it is 25 that purple.</p>	<p style="text-align: right;">Page 290</p> <p>1 the image, right? 2 A. No. If you look at the ends, you 3 know, one point, and you've got darker material 4 there, I can see -- I'd have to be on the microscope 5 but I can see some purple there. We have a mixture. 6 So that's what they chose. You know, we can argue 7 about this all day long but if you turn it -- you 8 know, that's what we called it and I stick by it. 9 Q. You stick by it, but slide 143, just 10 to understand how this matters again, the number 11 that goes into that calculation, so, all of the 12 number on the right, and last time I had this text 13 in purple, but, because the number that goes into 14 your birefringence calculation, the number that 15 you're subtracting the number from, that is based on 16 the analyst calling the particle purple; if it was 17 yellow, a different number would be there, right? 18 A. Okay. Can we go back to the other 19 one? 20 Q. Sure. 1 -- sorry, 54 -- 51, sorry. 21 1.564, that corresponds to purple. If it was, for 22 example, a yellow, then you would be in the range -- 23 in the yellow ranges. You'd have numbers like 24 1.579, 1.583, depending on how bright that is, and 25 we've talking about the brightness for illumination</p>
<p style="text-align: right;">Page 289</p> <p>1 Q. And so, for example, we went through 2 these images, slide 51, that we were not able to see 3 yesterday but this particle, as we discussed when I 4 just showed you a plain image of it, you told me it 5 was golden brown, right? 6 A. That's the main -- that's the main 7 color there. 8 Q. And yet by reversing the process, 9 because you actually give -- you see in the black 10 box down there, it says "RI 1564," right? 11 A. I do. 12 Q. So, we were able to reverse the 13 process to go from that RI to figure out what color 14 your analyst was calling this, what color your 15 analyst said they were seeing, and that is dark 16 purple, right? 17 A. You do have that in there but as I've 18 talked about yesterday, you don't get these really 19 nice colors. You'll get a mixture of them and it's 20 just over a process. So, that is one sample. But I 21 stick to what it is. That is chrysotile and I rely 22 on the analyst and I don't have a problem with that. 23 Q. And this particle that you're calling 24 purple chrysotile is essentially the same color as 25 all the talc plates that we see in the upper left of</p>	<p style="text-align: right;">Page 291</p> <p>1 ranges. 2 A. So, that's not yellow at all. I 3 appreciate that's what you see. 4 Say, we go down to, and we take 5 purple -- you would have something in the range of 6 about 1.576, 1.576 and 1.561 -- that's a 5100. You 7 are still in the range of what is accepted for 8 chrysotile. 9 Q. Okay. 10 A. So, if I -- 11 Q. According to you. 12 A. If I buy your evaluation here and 13 that is not the yellows that you're pointing out 14 there and I put in a .1576, I am still in the range 15 and that is not talc. 16 Q. Um-hum. 17 A. What you have in that right-hand 18 corner is talc. See that bright up there? Well, 19 that we're going to be down in the 420 to 410 range. 20 So, it's not talc. 21 Q. Dr. Longo, so, let's assume -- see 22 these rounded objects. Let's on the right instead. 23 Okay? There's one little rounded blue and there's 24 some rounded objects up there. Those are talc 25 plates, right?</p>

Page 356


1 CERTIFICATE OF OFFICER

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3 I CERTIFY that the foregoing is a true
4 and accurate transcript of the testimony and
5 proceedings as reported stenographically by me at
6 the time, place and on the date as hereinbefore set
7 forth.

8 I DO FURTHER CERTIFY that I am neither
9 a relative nor employee nor attorney or counsel of
10 any of the parties to this action, and that I am
11 neither a relative nor employee of such attorney or
12 counsel, and that I am not financially interested in
13 the action.

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ANDREA NOCKS, CCR, CRR

Certificate No. X100157300

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